



## CPED STAFF REPORT

Prepared for the Heritage Preservation Commission

HPC Agenda Item #2

March 18, 2014

BZH-28079

### HERITAGE PRESERVATION APPLICATION SUMMARY

*Property Location:* 2320 Colfax Avenue South  
*Project Name:* Demolition of 2320 Colfax Avenue South  
*Prepared By:* John Smoley, Ph.D., City Planner, (612) 673-2830  
*Applicant:* Michael Crow  
*Project Contact:* Michael Crow  
*Ward:* 10  
*Neighborhood:* Lowry Hill East  
*Request:* To demolish the residence onsite  
*Required Applications:* Demolition of a Historic Resource

<b>Demolition of Historic Resource</b>	Demolition of 2320 Colfax Avenue South
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### HISTORIC PROPERTY INFORMATION

<b>Current Name</b>	2320 Colfax Avenue South
<b>Historic Name</b>	Orth Residence
<b>Historic Address</b>	2320 Colfax Avenue South
<b>Original Construction Date</b>	1893
<b>Original Architect</b>	Theron Potter (T.P.) Healy
<b>Original Builder</b>	Theron Potter (T.P.) Healy
<b>Original Engineer</b>	n/a
<b>Historic Use</b>	Single-family residence
<b>Current Use</b>	Rooming house
<b>Proposed Use</b>	New multi-family residence

<b>Date Application Deemed Complete</b>	February 18, 2014	<b>Date Extension Letter Sent</b>	n/a
<b>End of 60-Day Decision Period</b>	April 19, 2014	<b>End of 120-Day Decision Period</b>	June 18, 2014

## CLASSIFICATION

<b>Local Historic District</b>	n/a
<b>Period of Significance</b>	n/a
<b>Criteria of Significance</b>	n/a
<b>Date of Local Designation</b>	n/a
<b>Date of National Register Listing</b>	n/a
<b>Applicable Design Guidelines</b>	n/a

## SUMMARY

**BACKGROUND.** On September 12, 2012, Pete Keely submitted an application for a historic review letter for the subject property. On September 25, 2012, CPED issued a letter (Attachment 2), noting that the property did not meet the definition of a historic resource, confirming the findings of a 2008 reconnaissance survey of the Loring Park, Elliot Park, and Lowry Hill East neighborhoods.

On February 26, 2013, Doboszinski and Sons, Incorporated submitted a Wrecking/Moving application for the residence at 2320 Colfax Avenue South. On March 8, 2013, CPED signed off on the permit, reaffirming that the subject property did not meet the Heritage Preservation Regulations' definition of a historic resource.

On March 15, 2013, Anders Christensen submitted an Appeal of the Planning Director's determination that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations' definition of a historic resource. Notwithstanding staff recommendation, the Heritage Preservation Commission granted the appeal of the Planning Director's determination which stated that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations' definition of a historic resource on the contention that the property exemplified the work of a master builder and architect, Theron Potter Healy, in an 8-2 vote at their April 16, 2013, meeting.

On April 18, 2013, Michael Crow, the property owner of 2320 Colfax Avenue South, submitted an Appeal of the Heritage Preservation Commission's determination that 2320 Colfax Avenue South meets the Heritage Preservation Regulations' definition of a historic resource. The appeal of this determination was heard and denied by the Zoning and Planning Committee and full City Council on May 21, 2013 and May 24, 2013, respectively.

On February 18, 2014, Michael Crow, the property owner of 2320 Colfax Avenue South, submitted a complete Demolition of a Historic resource application.

**APPLICANT'S PROPOSAL.** The applicant is proposing to demolish the fifteen-room boarding house at 2320 Colfax Avenue South to create a four-story, forty-five unit multi-family residence (Attachment 3).

**RELATED APPROVALS.** On March 6, 2013, the City Planning Commission's Committee of the Whole conducted a conceptual review of the four-story, forty-five unit multi-family residence proposed for the subject property. The applicant also completed Preliminary Development Review, where staff identified land use applications required for approval of the proposal. Based upon the current proposal,

the applicant will be required to submit a site plan review application and a variance application to allow parking spaces less than six feet from a residence.

**PUBLIC COMMENTS.** Since last year's appeal hearings staff has received two comment letters, both advocating preservation of the property (Attachment 4).

## ANALYSIS

### DEMOLITION OF HISTORIC RESOURCE

The Minneapolis Code of Ordinances, Title 23, Heritage Preservation, Chapter 599 Heritage Preservation Regulations states that before approving the demolition of a property determined to be an historic resource, the commission shall make findings that the demolition is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the demolition. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for up to 180 days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.

The Department of Community Planning and Economic Development has analyzed the application to allow the demolition of 2320 Colfax Avenue South based on the following [findings](#):

### SIGNIFICANCE

In CPED's review, the subject property does not appear eligible for local designation as a landmark.

**Criterion #1: The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history.**

The property in question does not appear to be the site of historically significant events. The property did not earn mention in the *Minneapolis Tribune* before 1923, apart from a minor note on its construction, a "for sale" advertisement, and social page notes related to its residents.<sup>1</sup>

**Criterion #2: The property is associated with the lives of significant persons or groups.**

The residence at 2320 Colfax Avenue South does not appear to be associated with significant people. The home was built as a speculative development by T.P. Healy. Edward F. Orth bought the home in 1894 (Attachment 3). He is the most prominent Minneapolitan associated with the home, but Edward appears to be best remembered as the son of brewer John Orth, and Edward did not live in the subject property during his tenure at the Orth Brewery.

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<sup>1</sup> "Building Record: A Fine Showing Made for the Year 1893," *Minneapolis Tribune*, 1 January 1894, 12; "For Sale: Improved Property" *Minneapolis Tribune*, 18 March 1894, 23.

Edward began his career at the Orth Brewery, whose remnants are already designated as a landmark and listed in the National Register of Historic Places (Minneapolis Brewing and Malting Company). Like his brothers, Edward worked under the tutelage of his father, John, founder of the brewery, but Edward left service there before moving into the residence at 2320 Colfax Avenue South. City directories from 1894 through 1904, while Orth lived in the subject residence, indicate that he was involved in a number of commercial ventures for a short period of time, to include the City Ice Company/Orth and Lampe (president), the Coe Commission Company (president), and Orth Brothers real estate company, but none of these enterprises appear particularly significant within the context of Minneapolis' commercial development, each meriting only minor mention at best in the *Minneapolis Morning Tribune*. Edward Orth's May 6, 1910, *Minneapolis Morning Tribune* obituary lists none of these professional affiliations, though it did note that Edward was the son of John Orth, founder of Orth Brewery. Orth lived at the subject property for only ten years, and died at 4429 Thomas Ave South.<sup>2</sup>

**Criterion #3: The property contains or is associated with distinctive elements of city or neighborhood identity.**

The property in question does not appear to be associated with distinctive elements of city or neighborhood identity. The subject property is the site of a residence, which is extremely common in the City of Minneapolis. The majority of residences around this one are low-density residences that appear to date back to the turn of the twentieth century. The subject property is a single family residence that was converted into a legal nonconforming rooming house, but this attribute alone does not make it historically significant.

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<sup>2</sup> "For Sale: Improved Property" *Minneapolis Tribune*, 18 March 1894, 23; City of Minneapolis Building Permit #B30521, 2320 Colfax Avenue South; City of Minneapolis Building Permit #B32213, 2320 Colfax Avenue South; City of Minneapolis Heritage Preservation Commission Landmarks and Historic Districts, "Grain Belt Brewery," [[www.ci.minneapolis.mn.us/hpc/landmarks/hpc\\_landmarks\\_marshall\\_st\\_ne\\_1215\\_grain\\_belt\\_brewery](http://www.ci.minneapolis.mn.us/hpc/landmarks/hpc_landmarks_marshall_st_ne_1215_grain_belt_brewery)] accessed 5 March 2014; Mike Worcester, "John Orth: Hennepin County's Pioneer Brewer," John Orth Biography File, Special Collections, Hennepin County Library, 2004; Minneapolis City Directory, 1892-1893, 1893-1894, 1896, 1899, 1902, 1903, 1904; "Edward Orth Passes Away," *Minneapolis Morning Tribune*, May 6, 1910, 9.

**Criterion #4: The property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction.**

The subject property is designed in the Colonial Revival style with Queen Anne influences. Extensive alterations that have taken place over time have negatively affected this design, however (see historical and current photographs in Attachments 2 and 3, as well as integrity analysis below).

**Criterion #5: The property exemplifies a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail.**

The property does not exemplify a landscape design or development pattern distinguished by innovation, rarity, uniqueness or quality of design or detail. The design of the yard appears mundane. Trees, and grass, the major landscape features, are quite common to other residential lots in Minneapolis (see current photos in Attachments 2 and 3).

**Criterion #6: The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.**

Theron Potter Healy, who built the home, is an acknowledged master builder, but the integrity of the property (discussed below) and better remaining examples of Healy's work challenge the assertion that the subject property exemplifies his skills. The Healy Block Historic District, locally designated in 1989 and listed in the National Register of Historic Places in 1993, is substantial acknowledgement of this. This collection of twenty-four properties was designated for being the finest surviving collection of Queen Anne architecture in Minneapolis and for being the most concentrated collection of Healy's work.<sup>3</sup>

Beyond the Healy Block Historic District (Attachment 3), which boasts Healy's personal residence, surveys have uncovered a number of other examples of Healy's work that have been deemed potential historic resources. In the 2008 reconnaissance survey of the Loring Park, Elliot Park, and Lowry Hill East neighborhoods the evaluators did not deem 2320 Colfax Avenue South worthy of an intensive level survey, though the surveyors did prepare inventory sheets for four other properties on this same block of Colfax Avenue South: numbers 2307, 2313, 2315, and 2321. The survey did identify a potential historic district, the Lowry Hill East Residential Historic District, less than one block south and east of the subject property. Evaluators noted that this potential district exhibits remarkable integrity, with fifty contributing properties and only three noncontributors, in a period of significance ranging from 1880 to 1913. Several Healy homes were among these contributors, and two other homes (2323 Bryant Avenue South and 2424 Colfax Avenue South)

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<sup>3</sup> City of Minneapolis Heritage Preservation Commission Landmarks and Historic Districts, "Healy Block Historic District," [http://www.ci.minneapolis.mn.us/hpc/landmarks/hpc\_landmarks\_healy\_block\_district] accessed 5 March 2014.

within one block of the subject property were identified as potential historic landmarks. Notably, the evaluators did not extend the potential historic district boundaries one parcel to the north to encompass 2320 Colfax Avenue South (Attachment 3).<sup>4</sup>

Anders Christensen has conducted extensive research into Healy-built homes in Minneapolis and found many extant examples of his work. His letter to CPED's Brian Schaffer (Attachment 2) notes that, of the thirty homes Healy constructed in the Wedge, twenty-seven are still standing. A 1980 survey conducted by Anders Christensen and updated as recently as 2012 has identified over one hundred forty Healy homes in Minneapolis, the majority of which remain standing.<sup>5</sup>

Staff has not found evidence that the subject property is indicative of a watershed moment in the career of T.P. Healy. Claims have been made that the residence at 2320 Colfax Avenue South is the first example of Healy's turn away from the Queen Anne style toward the Colonial Revival style, and that such a turn was inspired by the World's Columbian Exposition of 1893. Staff can neither confirm nor deny Healy's presence at this international exposition. What we can confirm is that his residence at 3115 2<sup>nd</sup> Avenue South, built two years prior to 2320 Colfax Avenue South and the exposition, is an earlier example of the Colonial Revival style's influence in his work. 3115 2<sup>nd</sup> Avenue South is a far better remaining example of Healy's impact upon our community, and is already locally designated and listed in the National Register of Historic Places as part of the Healy Block Historic District (Attachment 3).

**Criterion #7: The property has yielded, or may be likely to yield, information important in prehistory or history.**

The subject property is not likely to yield information important in prehistory. The subject property is located over five hundred feet from the nearest pre-contact body of water, once known as Lake Blaisdell, which was located between Harriet Avenue South on the east, Lyndale Avenue South on the west, West 22nd Street on the north, and West 25th Street on the south. The lake was reportedly 20 acres in size and 40 feet deep in places. Since water features generally served as sources of water, food, and transportation, areas in close proximity (generally five hundred feet or less) to such sites have a higher than average potential to include archaeological evidence of precontact human habitation. Given these conditions, it is possible that the site might yield information important in prehistory, however, due to the distance of the subject site from this former body of water and the intensive development of this residential lot, the potential for intact,

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<sup>4</sup> Mead & Hunt, "Historic Resources Inventory: Historic Resources in the Loring Park and Elliot Park Neighborhoods, Re-survey of Lowry Hill East Neighborhood," Potential Historic Resource Files, Planning Division, Community Planning and Economic Development Department, Minneapolis, MN, 2008, 34, A-I, E-I to E-24.

<sup>5</sup> Potential Historic Resource Files, Planning Division, Community Planning and Economic Development Department, Minneapolis, MN; Anders Christensen, "Theron Potter Healy: A Chronological Building List," Houses-Healy Block File, Minneapolis Collection, Special Collections, Hennepin County Library, 2012.

significant, archaeological deposits to be present that are likely to yield information important in prehistory is regarded as low.<sup>6</sup>

The subject property is not likely to yield information important in history. Building permit records do not indicate the presence of buildings onsite prior to the completion of construction of the present building in 1894. Furthermore, city records indicate the lot was connected to the municipal sewer system that same year. For this reason, there is very little chance that the lot may contain privy vaults bearing archaeological evidence. Other archaeological sources of information such as sheet refuse (general surface trash scatters that accumulate over time), trash pits, and builder's trenches may still be present on the lot. Generally, this sort of evidence is found in the backyards of residences. The back yard of this property has been completely covered by a paved parking area.<sup>7</sup>

## INTEGRITY

The Minneapolis Code of Ordinances, Title 23, Heritage Preservation, Chapter 599 Heritage Preservation Regulations recognizes a property's integrity through seven aspects or qualities: location, design, setting, materials, workmanship, feeling, and association. The subject property does not retain integrity.

**Location:** The building remains in its original location, indicating the building maintains integrity of location.

**Design:** The subject property is designed in the Colonial Revival style with Queen Anne influences. Extensive alterations that have taken place over time have had a deleterious effect on this design, however (see historical and current photographs in Attachments 2 and 3). Originally built as a single family home, the residence was converted into a multi-family residence in 1965, and again in 1982. It currently possesses fifteen rooming units. The building has sustained a number of fires over the years. While Healy repaired damages from the first fire in 1895, additional fires in 1991 and 2011 affected the building. The masonry porch that dominates the front of the home was enclosed in 1948. The building has been resided twice – once in 1960 with asbestos siding, and again in 2003 with vinyl siding. The vast majority of the historic windows on the home have been replaced. An impressive Healy-built barn that once stood at the rear of the lot has been lost. Visual evidence indicates many more changes. Eaves have been wrapped in aluminum; a weathervane and finials have been removed; the frieze is narrower than its historical counterpart while new siding is wider; fenestration has been

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<sup>6</sup> Mississippi Watershed Management Organization, *Historic Waters of the Mississippi Watershed Management Organization* (Minneapolis: Mississippi Watershed Management Organization, 2011) 34; Hennepin County Library, "Lake Blaisdell," [<http://hclib.tumblr.com/post/4068049831/lake-blaisdell-located-between-harriet-avenue>] accessed 5 March 2014.

<sup>7</sup> City of Minneapolis Building Permit Index Card, 2320 Colfax Avenue South; City of Minneapolis Public Works and Engineering Sewer and Water Connections Inspection.

covered with aluminum storm windows whose division of lights and operation frequently conflict with those of the historic windows; corner boards have been added; shingles that curve into a recessed window on the half-story have been replaced and squared at their base; front dormer gable detailing has been removed or covered; a porthole window on the front and a Palladian window on the corner side have been removed; flared belt courses and walls no longer exist; and the rear porch has been enclosed and expanded into a side addition. While it is not exactly the same design as the subject property, the residence at 1716 Dupont Avenue South is remarkably similar, and indicative of the integrity evident in other Healy homes in our community (Attachment 3).<sup>8</sup>

**Setting:** The property's integrity of setting remains intact. The building continues to stand among other wood-frame residences clustered between Hennepin and Lyndale Avenues, as it has done throughout its history.

**Materials:** The property does not retain integrity of materials. The majority of the building's original exterior and interior materials have been replaced or covered (see paragraph on integrity of design, above). Notable interior exceptions include foyer features such as wainscoting, a wood staircase, and a staircase handrail, though the handrail possesses nearly all replacement balusters. Additional scattered features such as a tiled fireplace, wood trim, and radiators are mostly limited to first floor spaces and are separated by nonhistoric partition walls, doors, replacement fixtures, and other relatively recent work. Remodeling on the first floor has been very heavy, though nowhere near as extensive as on the second and third floor spaces. There, the character is almost completely late twentieth century due to a comprehensive 1980s-era remodel designed to repair fire damage. Should someone in the future find historical plans and photographs to guide the accurate replacement of the many historic features removed from this residence, the property might be reevaluated and deemed to retain integrity of design, but such restoration would require replacement of so many materials that the home could never be considered to retain integrity of materials (Attachment 2 and 3).

**Workmanship:** Integrity of workmanship is evident in very few remaining exterior features apart from two bow windows and a brick chimney high atop the roof. On the interior, first floor spaces provide limited evidence of late nineteenth century craftsmanship, separated by far more evidence of late twentieth century work. In any event, the presence of these few, scattered historic features is not sufficient evidence for this residence to retain integrity of workmanship or integrity in general (Attachment 2 and 3).

**Feeling:** The replacement or covering of almost all original exterior materials, along with extensive interior partitioning and material replacement, has eliminated this building's expression

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<sup>8</sup> City of Minneapolis Building Permit Index Card, 2320 Colfax Avenue South.



of the historic and aesthetic sense of late nineteenth century single family residences designed by master builder Theron Potter Healy.

**Association:** Properties retain integrity of association if they retain sufficient physical features to convey historical association to an observer. Sitting amidst other, far more ornate and intact wood-frame turn-of the-century single-family residences, the appearance of the heavily modified subject property evokes no association with master builder T.P. Healy.

### **UNSAFE OR DANGEROUS CONDITION**

The Applicant does not contend that the demolition of the subject property is necessary to correct an unsafe or dangerous condition.

### **REASONABLE ALTERNATIVES TO DEMOLITION**

Reasonable alternatives to demolition exist. The home can continue to be used as a rooming house, but the Zoning Code discourages such uses, deeming them nonconforming and preventing their expansion or change without City Planning Commission action. Converting the building to a legal residence of one or more dwelling units is possible, but would require the removal of kitchens or the installation of Building Code-compliant partitions and means of egress. The applicant wishes to use the property as a forty-five unit multi-family residence. City records do not indicate the square footage of the third floor, but, based upon the area of other floors, it is safe to say that the building possesses approximately 6,000 square feet of floor area. Even if the applicant were able to design the smallest units permitted by the Zoning Code (350 square foot studio apartments), he would only have enough room for seventeen units, fewer when allowances for common areas and mechanical equipment are taken into account. While this is possible, converting the building to seventeen units would be substantially more expensive than converting it to one to four units, and even that conversion is comparable to the cost of new construction (see below)

The commission may delay a final decision for up to 180 days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it, but it has been more than 180 days since the Heritage Preservation Commission and City Council deemed the property a historic resource, and the owner has indicated that no efforts to purchase and preserve the property have been received.

### **ECONOMIC VALUE OR USEFULNESS OF THE EXISTING STRUCTURE**

The Applicant has not demonstrated that the building in question has no economic value or usefulness, but estimates of the investment required to convert the building to a single or multi-family residence range from 75% to 146% of the cost of the proposed, forty-five unit building, when calculated on a per square foot basis.

Four conceptual estimates of the cost to convert the roughly 6,000 square foot residence to one to four residential units range from \$900,000 to 1,772,000 or \$150 to \$295 per square foot. The applicant indicates that the proposed building would contain 30,459 square feet of floor area, exclusive of common spaces, and cost from \$140,000 to \$150,000 for each of the 45 proposed units, but this includes the value of the property, which the owner is selling for \$600,000. Excluding the cost of the land, the cost to construct the new building will range from \$5,700,000 to 6,150,000, or \$187 to \$202 per square foot (Attachment 2).

## FINDINGS

1. On April 16, 2013, and May 24, 2013, the Heritage Preservation Commission and City Council, respectively, determined that 2320 Colfax Avenue South meets the Heritage Preservation Regulations' definition of a historic resource.
2. The demolition is not necessary to correct an unsafe or dangerous condition on the property.
3. Reasonable alternatives to demolition exist, but they require continuance of a use nonconforming to Zoning Code standards or extensive remodeling to convert the building to between one and seventeen residential units while the applicant seeks to have forty-five units onsite.
4. The property does not appear to individually meet any of the designation criteria listed in section 599.210, thus the subject property does not appear to be eligible for designation as a landmark.
5. The building does not retain integrity.
6. The Applicant has not demonstrated that the building in question has no economic value or usefulness, but estimates of the investment required to convert the building to a single or multi-family residence range from 75% to 146% of the cost of the proposed, forty-five unit building, when calculated on a per square foot basis.
7. The commission may delay a final decision for up to 180 days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it, but it has been more than 180 days since the Heritage Preservation Commission's and City Council's actions deeming the property a historic resource, and the owner has indicated that no efforts to purchase and preserve the property have been received.

## RECOMMENDATIONS

### **Recommendation of the Department of Community Planning and Economic Development for the Demolition of Historic Resource:**

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the above findings and approve the Demolition of Historic Resource application for the property located at 2320 Colfax Avenue South, subject to the following conditions:

- I. By ordinance, approvals are valid for a period of two years from the date of the decision. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than March 18, 2016.

## ATTACHMENTS

1. Vicinity map
2. Plans and photos of property submitted by applicant
3. CPED photos and maps
4. Public comment